

PR#9833

PARRISH, DANIEL

1/14/2008

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.

W.A. DREW EDMONDSON, in his capacity as  
ATTORNEY GENERAL OF THE STATE OF  
OKLAHOMA, and OKLAHOMA SECRETARY  
OF THE ENVIRONMENT C. MILES TOLBERT,  
in his capacity as the TRUSTEE FOR NATURAL  
RESOURCES FOR THE STATE OF OKLAHOMA,

Plaintiffs,

vs.

No. 05-CV-0329 GFK-SAJ

TYSON FOODS, INC., TYSON POULTRY, INC.,  
TYSON CHICKEN, INC., COBB-VANTRESS, INC.,  
AVIAGEN, INC., CAL-MAINE FOODS, INC.,  
CAL-MAINE FARMS, INC., CARGILL, INC.,  
CARGILL TURKEY PRODUCTION, LLC,  
GEORGE'S, INC., GEORGE'S FARMS, INC.,  
PETERSON FARMS, INC., SIMMONS FOODS, INC.,  
and WILLOW BROOK FOODS, INC.,

Defendants.

VIDEO DEPOSITION OF DANIEL JOSEPH PARRISH  
TAKEN ON BEHALF OF THE DEFENDANTS  
ON JANUARY 14, 2008, BEGINNING AT 9:37 A.M.  
IN OKLAHOMA CITY, OKLAHOMA

Videographer: Stephanie Britton

Reported by: Lana L. Phillips, CSR, RPR

EXHIBIT

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1 Plus two more sentences are there,  
2 about wetness, and mentions highly vulnerable  
3 groundwater again.

4 Q Okay. So for Mr. Saunders, I have  
5 -- in this animal waste management plan, I have  
6 some criteria that address all of my fields, that  
7 address areas near streams, ponds, water wells,  
8 and I have criteria here that address my steep  
9 sloping land, and to address my land that is  
10 seasonally wet.

11 I have something to refer to in this  
12 plan, as far as telling me how to handle my  
13 poultry waste related to those lands; correct?

14 A That is correct.

15 But it's only based upon this animal  
16 waste management plan document. There are more  
17 regulations than just the plan.

18 Q Under the statutory program, as well  
19 as the plan, the registered poultry feeding  
20 operators are required to maintain records of the  
21 disposition of the poultry waste generated on  
22 their farms; correct?

23 A Yes.

24 Q And if they land-apply it on their  
25 own land, they're supposed to record that;

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1           A       These plans provide guidance of how  
2       they should use their poultry waste, and then  
3       there are other guidance they should also refer  
4       to besides these plans.

5           Q       But you agree that trained  
6       authorized personnel either for -- working for  
7       NRCS or working for ODAFF, have prepared a  
8       document that specifically tells them what the  
9       allowable rate of litter application is on any  
10      field upon which they intend to use poultry  
11      waste?

12                    You agree?

13          A       These documents tell that poultry  
14      operation the guidelines they should use in  
15      applying their waste. But just as me with my  
16      driver's license, it doesn't give me everything  
17      that I am required to do when I'm driving my car.

18          Q       But you expect poultry growers to  
19      follow these animal waste management plans?

20                    That's what the law says, doesn't  
21      it?

22          A       Follow those waste management plans,  
23      to follow the Oklahoma water quality standards.  
24      I can give you a whole list of things that they  
25      have to -- in addition to that, that they have to

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1       adhere to, just as I have to do with my driver's  
2       license.

3               Q       Now, the regulated persons who are  
4       required to have animal waste management plans,  
5       those are the owners and operators of the  
6       registered feeding operations; correct?

7               A       The law requires that the owners of  
8       a Oklahoma registered poultry feeding operation  
9       have an animal waste management plan or proof  
10      that they've applied for an animal waste  
11      management plan.

12              Q       Has ODAFF ever required a poultry  
13      integrator to obtain an animal waste management  
14      plan?

15              A       Yes.

16              Q       Has ODAFF ever required a poultry  
17      integrator to obtain an animal waste management  
18      plan in the Illinois River watershed?

19              A       I don't have memorized anybody  
20      that's a registered poultry operation in the  
21      Illinois River watershed would have to get that  
22      plan -- whether there are poultry integrators who  
23      have operations owned by them in the Illinois  
24      River watershed, I don't have that list  
25      memorized.